

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 1

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT,**

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Marty Myre, in that they transferred Marty Myre's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Marty Myre, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 2

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Don Siegel, in that they transferred Don Siegel's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Don Siegel, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 3

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Steve Jorstad, in that they transferred Steve Jorstad's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Steve Jorstad, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 4

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Willsmiller Farms, in that they transferred Willsmiller Farms' ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Willsmiller Farms, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 5

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Sandy Seigel, in that they transferred Sandy Seigel's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Sandy Seigel, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 6

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Stewart Farms, in that they transferred Stewart Farms' ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Stewart Farms, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 7

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Rod Wheeler, in that they transferred Rod Wheeler's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Rod Wheeler, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 8

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Cathi Myre, in that they transferred Cathi Myre's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Cathi Myre, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 9

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Ralph Rosenwinkel, in that they transferred Ralph Rosenwinkel,'s ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Ralph Rosenwinkel,, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 10

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT,**

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Marty Myre, in that they transferred Marty Myre's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Marty Myre, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 11

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Don Siegel, in that they transferred Don Siegel's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Don Siegel, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 12

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Steve Jorstad, in that they transferred Steve Jorstad's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Steve Jorstad, permanently of the use and benefit of said property,

and the defendants intending to permanently deprive farmers of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 13

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Willsmiller Farms, in that they transferred Willsmiller Farms' ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Willsmiller Farms, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 14

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Sandy Seigel, in that they transferred Sandy Seigel's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Sandy Seigel, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 15

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Stewart Farms, in that they transferred Stewart Farms' ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Stewart Farms, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 16

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Rod Wheeler, in that they transferred Rod Wheeler's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Rod Wheeler, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 17

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Cathi Myre, in that they transferred Cathi Myre's ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Cathi Myre, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 18

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about March 1, 2001 to on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **THEFT**,

in that they, in furtherance of a single intention and design, knowingly obtained or exerted unauthorized control over bushels of corn and soybeans, valued in excess of one hundred thousand dollars, the property of Ralph Rosenwinkel, in that they transferred Ralph Rosenwinkel,'s ownership interest in said property to Brown Brothers Harriman and AIG International Inc., intending to deprive Ralph Rosenwinkel,, permanently of the use and benefit of said property,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/16-1, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 19

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2005 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 20

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2006 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 21

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2007 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 22

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2008 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 23

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2010 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 24

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2012 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 25

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2014 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 26

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2015 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 27

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2018 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 28

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2019 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 29

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2020 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 30

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **FORGERY**,

in that they, with the intent to defraud, knowingly altered a document apparently capable of defrauding another in such a manner that it purported to have been made with different provisions knowing that it was not made with such provisions, to wit: they caused the cancellation date on warehouse receipt #2021 to be altered,

in violation of the Illinois Compiled Statutes, Chapter 720, Section 5/17-3, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 31

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2005 to be issued for 7,865,008 bushels of corn to AIG International Inc., knowing that the licensee did not control that 7,865,008 bushels of corn at the time warehouse receipt #2005 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 32

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2006 to be issued for 180,594 bushels of soybeans to AIG International Inc., knowing that the licensee did not control that 180,594 bushels of soybeans at the time warehouse receipt #2006 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 33

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2007 to be issued for 2,417,278 bushels of corn to Brown Brothers Harriman., knowing that the licensee did not control that 2,417,278 bushels of corn at the time warehouse receipt #2007 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 34

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2008 to be issued for 146,093 bushels of soybeans to Brown Brothers Harriman, knowing that the licensee did not control that 146,093 bushels of soybeans at the time warehouse receipt #2008 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 35

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2010 to be issued for 7,912,001 bushels of corn to AIG International Inc., knowing that the licensee did not control that 7,912,001 bushels of corn at the time warehouse receipt #2010 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 36

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2012 to be issued for 217,587 bushels of soybeans to AIG International Inc., knowing that the licensee did not control that 217,587 bushels of soybeans at the time warehouse receipt #2012 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 37

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2014 to be issued for 1,813,382 bushels of corn to Brown Brothers Harriman, knowing that the licensee did not control that 1,813,382 bushels of corn at the time warehouse receipt #2014 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 38

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2015 to be issued for 111,354 bushels of soybeans to Brown Brothers Harriman, knowing that the licensee did not control that 111,354 bushels of soybeans at the time warehouse receipt #2015 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 39

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2018 to be issued for 7,942,057 bushels of corn to AIG International Inc., knowing that the licensee did not control that 7,942,057 bushels of corn at the time warehouse receipt #2018 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 40

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2019 to be issued for 238,955 bushels of soybeans to AIG International Inc., knowing that the licensee did not control that 238,955 bushels of soybeans at the time warehouse receipt #2019 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 41

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2020 to be issued for 2,672,481 bushels of corn to Brown Brothers Harriman, knowing that the licensee did not control that 2,672,481 bushels of corn at the time warehouse receipt #2020 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois..

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 42

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, to on or about August 8, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Issuing Warehouse Receipts without lawful authority**,

They caused a warehouse receipt for grain to be issued knowing that the grain for which the warehouse receipt was issued was not under the licensee's control at the time the warehouse receipt was issued, in that they caused warehouse receipt #2021 to be issued for 93,061 bushels of soybeans to Brown Brothers Harriman, knowing that the licensee did not control that 93,061 bushels of soybeans at the time warehouse receipt #2021 was issued,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 43

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 1, 2001, representing that Ty-Walk Liquid Sales, Inc. had purchased 10,301,873 bushels of corn on August 1, 2001, when 10,301,873 bushels of corn had not been purchased on August 1, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 44

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 2, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 2, 2001, representing that Ty-Walk Liquid Sales, Inc. had purchased 9,740,972 bushels of corn on August 2, 2001, when 9,740,972 bushels of corn had not been purchased on August 2, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 45

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 3, 2001, representing that Ty-Walk Liquid Sales, Inc. had purchased 10,627,252 bushels of corn on August 3, 2001, when 10,627,252 bushels of corn had not been purchased on August 3, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 46

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 1, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 1, 2001, representing that Ty-Walk Liquid Sales, Inc. had unloaded 12,980,586 bushels of corn on August 1, 2001, when 12,980,586 bushels of corn had not been unloaded on August 1, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 47

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 2, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 2, 2001, representing that Ty-Walk Liquid Sales, Inc. had unloaded 9,732,928 bushels of corn on August 2, 2001, when 9,732,928 bushels of corn had not been unloaded on August 2, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 48

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 3, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Violation of the Record Keeping Provision,**

in that they knowingly and without lawful authority, created false, misleading, or inaccurate records, to wit, they caused to be created a daily position report on August 3, 2001, representing that Ty-Walk Liquid Sales, Inc. had unloaded 10,621,787 bushels of corn on August 3, 2001, when 10,627,787 bushels of corn had not been unloaded on August 3, 2001,

in violation of the Illinois Compiled Statutes, Chapter 240, Section 40/15-45, and contrary to the statute and against the peace and dignity of the same People of the State of Illinois.

STATE OF ILLINOIS)
)SS
COUNTY OF KENDALL)

The February 2004, Grand Jury of the
Circuit Court of Kendall County

BILL OF INDICTMENT

COUNT 49

The Grand Jurors chosen, selected, and sworn, in and for the County of Kendall, in the State of Illinois, in the name and by the authority of the People of the State of Illinois, upon their oaths present that from on or about August 23, 2001, at and within Kendall County:

John Gibbons and Kathleen Lestina

committed the offense of **Failure to Maintain Sufficient Assets**, a class 4 felony,

in that the defendants, a licensed grain dealer in the State of Illinois, knowingly and without lawful authority failed to maintain sufficient assets equaling 90% of the unpaid balance of his grain dealer obligations under the price later contracts,

in violation of 240 ILCS 40/15-45(g)(1),

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LIST OF WITNESSES
WHO TESTIFIED BEFORE THE GRAND JURY

STATE OF ILLINOIS
IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT
KENDALL COUNTY, ILLINOIS

The within indictment returned in open Court this 17th Day of February, 2004.

BAIL SET AT \$_____

_____ Warrant of Arrest ordered/stayed to issue

Judge of the Circuit Court